

**MINUTES
FREMONT CITY COUNCIL REGULAR MEETING
APRIL 13, 2010
FREMONT CITY HALL
7:00 P.M.**

1. PRELIMINARY

1.1 Call to Order: Mayor Wasserman called the meeting to order.

1.2 Flag Salute: Vice Mayor Wieckowski led the salute to the flag.

1.3 Roll Call: Present: Mayor Wasserman, Vice Mayor Wieckowski, Councilmembers: Natarajan, Harrison, and Chan.

1.4 Announcements by Mayor/City Manager – None.

2. CONSENT CALENDAR

- * **2.1 Waive Reading of Ordinances:** The City Attorney read the titles of ordinances to be considered.

On a motion by Councilmember Natarajan, seconded by Vice Mayor Wieckowski, the City Council waived further readings of proposed ordinances.

Ayes:	Mayor Wasserman, Vice Mayor Wieckowski, Councilmembers: Natarajan, Harrison and Chan
Noes:	None
Absent:	None
Abstain:	None

- * **2.2 Approval of Minutes** – None.

- * **2.3 Mayor Wasserman opened consideration of Adoption of Resolution Ordering the Preparation and Filing of the Annual Engineer's Report for Landscaping Maintenance Assessment District 88; Approving the Report and Stating the City Council's Intention to Levy Assessments for District 88 for Fiscal Year 2010/11**

On a motion by Councilmember Natarajan, seconded by Vice Mayor Wieckowski, the City Council:

1. Adopted Resolution No. 2010-21 ordering the preparation and filing of the Annual Engineer's Report for Landscaping Assessment District 88 for Fiscal Year 2010/11.
2. Adopted Resolution No. 2010-22 stating the intent of the City Council of the City of Fremont to levy and collect assessments for Fremont Landscaping Assessment District 88 for Fiscal Year 2010/11.

Ayes: Mayor Wasserman, Vice Mayor Wieckowski,
Councilmembers: Natarajan, Harrison and Chan
Noes: None
Absent: None
Abstain: None

*** 2.4 Mayor Wasserman opened consideration of Award Contract for On-Call ESA and Soil Testing Consultant Services to The Consulting Group**

On a motion by Councilmember Natarajan, seconded by Vice Mayor Wieckowski, the City Council:

1. Authorized the City Manager or his designee to execute the Master Service Agreement with The Consulting Group for on-call ESA and soil testing consultant services in an amount not to exceed \$150,000 per year for three years
2. Authorized the City Manager or his designee to exercise the option to renew each agreement, at an appropriate time, for two additional one-year terms with an amount not to exceed \$100,000 per year, provided the City Manager or his designee determines that the consultant has been responsive to the City's needs and the quality of work has been satisfactory.

Ayes: Mayor Wasserman, Vice Mayor Wieckowski,
Councilmembers: Natarajan, Harrison and Chan
Noes: None
Absent: None
Abstain: None

2.5 Mayor Wasserman opened consideration of Request for Authorization to Amend the Service Agreement with CirclePoint Consulting in Regards to Preparation of the Environmental Impact Report for the Patterson Ranch Development Project

(This item was removed from the Consent Calendar)

Staff responded to questions from Councilmembers.

On a motion by Councilmember Harrison, seconded by Vice Mayor Wieckowski, the City Council authorized the City Manager, or his designee, to amend the service agreement with CirclePoint to include an additional amount not-to-exceed \$300,000 (\$235,000 scope of work and \$65,000 contingency) to finish preparation of the Environmental Impact Report for the Patterson Ranch development project.

Ayes: Mayor Wasserman, Vice Mayor Wieckowski,
Councilmembers: Natarajan, Harrison and Chan
Noes: None
Absent: None
Abstain: None

*** 2.6 Mayor Wasserman opened consideration to Adopt a Resolution Revising and Restating Policies and Procedures for the Establishment, Collection, Administration, and Distribution of Deposits Related to Land Use Planning Applications and Development Services and Authorizing Deposit Amounts to be Set Administratively**

On a motion by Councilmember Natarajan, seconded by Vice Mayor Wieckowski, the City Council adopted Resolution No. 2010-23 and delegated the authority to establish and update deposit amounts to the City Manager in accordance with the terms of the resolution.

Ayes: Mayor Wasserman, Vice Mayor Wieckowski,
Councilmembers: Natarajan, Harrison and Chan
Noes: None
Absent: None
Abstain: None

*** 2.7 Mayor Wasserman opened consideration of Award Contracts for On-Call Survey Consultant Services to Kier & Wright Civil Engineers & Surveyors, Inc. and Nolte Associates, Inc.**

On a motion by Councilmember Natarajan, seconded by Vice Mayor Wieckowski, the City Council:

1. Authorized the City Manager or his designee to execute Master Service Agreements with Kier & Wright Civil Engineers & Surveyors, Inc., and Nolte Associates, Inc., for on-call survey consultant services in an amount not-to-exceed \$100,000 per year for three years, with the option of renewing each agreement for two additional one year periods with an amount not-to-exceed \$100,000 per additional one year period.
2. Authorized the City Manager to exercise the option to renew provided he determines the consultant has been responsive to the City's needs and the quality of the work has been satisfactory.

Ayes: Mayor Wasserman, Vice Mayor Wieckowski,
Councilmembers: Natarajan, Harrison and Chan
Noes: None
Absent: None
Abstain: None

*** 2.8 Mayor Wasserman opened consideration to Authorize the City Manager to Execute a Cooperative Agreement between the City and Alameda County Transportation Authority for the Right-of-Way Acquisition Phase for the East-West Connector Project (Route 84, Option 2)**

On a motion by Councilmember Natarajan, seconded by Vice Mayor Wieckowski, the City Council authorized the City Manager or his designee to execute a Cooperative Agreement between the Alameda County Transportation Authority and the City of Fremont for the Right-of-Way Acquisition Phase of the East-West Connector Project.

Ayes: Mayor Wasserman, Vice Mayor Wieckowski,
Councilmembers: Natarajan, Harrison and Chan
Noes: None
Absent: None
Abstain: None

3. CEREMONIAL ITEMS

3.1 Proclamation: Arbor Day

4. PUBLIC COMMUNICATIONS

4.1 Oral and Written Communications – None.

5. SCHEDULED ITEMS – None.

6. REPORT FROM CITY ATTORNEY

6.1 Mayor Wasserman opened consideration of a Report Out from Closed Session of Any Final Action – None.

7. OTHER BUSINESS

7.1 Mayor Wasserman opened consideration of a Report on NUMMI Site Reuse and Revitalization Activities Including Response to Interest by Major League Baseball in Possible Establishment of a Fremont Ballpark

City Manager Fred Diaz provided an update on efforts undertaken by staff, which included an application to create Priority Development (PDA), an Economic Development Administration (EDA) Grant, Major League Baseball's interest in using a portion of the NUMMI site for a possible ballpark, and opportunities for public involvement during the process for use and revitalization of the NUMMI site. Mr. Diaz continued his report with an update on NUMMI related costs to the City and concluded with next steps. Mayor Wasserman opened the item for public comment. Deepak Alur expressed support for the submittal of an EDA grant. Jim Hunt, Kathy McDonald, Fazlur Khan, Charlotte Allen (Fremont Citizens Network), and Vinnie Bacon expressed opposition to expenditures related to exploring the potential of a ballpark in Fremont and advocated support for using the funds to restore manufacturing jobs lost with the close of NUMMI. Cindy Bonior, George Duarte and Tom Handley (Fremont Chamber of Commerce) expressed the Chamber's continued support of developing an A's ballpark in Fremont. Nancy Mitchell and Tom Shard expressed support for developing an A's ballpark in Fremont. Roger Shanks expressed support for the direction that the City has taken in looking at and considering the reuse of the NUMMI site. There were no other speakers. Mayor Wasserman closed public comment. Staff and Brian Millar (Consultant) responded to questions from Councilmembers. Councilmembers provided feedback and policy direction on future activities in support of the NUMMI site reuse and revitalization.

8. COUNCIL COMMUNICATIONS

8.1 Council Referrals

- 8.1.1 Mayor Wasserman opened consideration of appointments to advisory bodies with expiring terms.

By consensus, the City Council made the following appointments:

Appointments:

<i>Advisory Body</i>	<i>Appointee</i>	<i>Term Expires</i>
Art Review Board	Beth Booth	December 31, 2013
Senior Citizens Commission	Eeshwari Vaidya	December 31, 2010

8.2 Oral Reports on Meetings and Events – None.

9. **ADJOURNMENT:** There being no further business, Mayor Wasserman adjourned the meeting at 8:35 p.m.

Attest:

Approved:

Dawn G. Abrahamson, City Clerk

BOB WASSERMAN, Mayor